

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Michael Figura	Team: Team # 5	CCRB Case #: 200708366	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 06/07/2007 5:00 PM	Location of Incident: In front of 160 Wilson Avenue	Precinct: 83	18 Mo. SOL 12/7/2008	EO SOL 12/7/2008	
Date/Time CV Reported Thu, 06/07/2007 8:22 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 06/13/2007 1:36 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. An officer			
2. POM Edward Weinschreider	11040	923355	083 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Edward Weinschreider	Abuse: Officer Edward Weinschreider questioned § 87(2)(b)	
B. An officer	Discourtesy: An officer spoke obscenely and/or rudely to § 87(2)(b)	
C. An officer	Abuse: An officer searched § 87(2)(b)	

Synopsis

On June 7th, 2007, § 87(2)(b) called 911 and was transferred to the Internal Affairs Bureau's Command Center. He reported that on June 7th, 2007, at approximately 5:00 p.m., in front of 160 Wilson Avenue, in Brooklyn, he was forcibly stopped and searched by three white male "detectives" wearing blue jeans. The complaint was referred to the CCRB on June 13th, 2007.

On June 15th, 2007, the investigator mailed § 87(2)(b) a please call letter and then reached § 87(2)(b) via phone and took the following statement. On June 7th, 2007, at approximately 5:00 p.m., § 87(2)(b) and his brothers § 87(2)(b) and § 87(2)(b) were sitting in front of their building 160 Wilson Avenue. They had been sitting outside for approximately two to three hours. § 87(2)(b) and § 87(2)(b) live in the building with their father in § 87(2)(b). § 87(2)(b) does not live there. § 87(2)(b) stated that the building was "hot," explaining that there was drug activity in the building, and noted the officers stopped them as if they were "hustling."

Three police officers in an unmarked silver Honda Accord stopped their vehicle in front of the building. An officer, described as a white male, with a plaid shirt, blue jeans, white sneakers, 22-23 years old, short blonde hair, 180 lbs., 6'2," approached § 87(2)(b) and told him that they "ran the streets" and called § 87(2)(b) and his brothers "knuckleheads." The officers asked them what they were doing there and they replied that they had family in the building. The first officer placed his hands in § 87(2)(b)'s side front pockets. § 87(2)(b) stated that his wallet was in his pocket, and told the officer that his identification was inside and that he could look at it. The officer also searched the inside of § 87(2)(b)'s socks, but did not recover anything from the search. The other two officers were described as a white male, about 30 years old, 6'3'-6'4", 200 lbs, short blonde hair, wearing a white t-shirt and a white male, 6'5', 190lbs, with short blonde hair and a black t-shirt. These two officers searched the pockets of § 87(2)(b) and § 87(2)(b).

The officer in the plaid shirt took § 87(2)(b)'s identification for approximately five minutes, then returned it to him and told them they could leave. § 87(2)(b) stated that he was interested in mediating the complaint so he could address the officer's actions which he felt were wrong since he was stopped, but was not doing anything wrong.

On July 2nd, 2007, the investigator called § 87(2)(b) and § 87(2)(b) but there was no answer and no voicemail. The investigator reached § 87(2)(b) on July 3rd, 2007, via phone. § 87(2)(b) stated that he was not present for any incident involving § 87(2)(b) and the Police on July 7th, 2007. He additionally stated that neither he nor any of his brothers were named § 87(2)(b) or went by the name § 87(2)(b). On July 4th, 2007 the investigator received copies of stop and frisk forms filed by Officer Edward Weinschreider regarding the stops of § 87(2)(b) and § 87(2)(b) which were listed as having taken place at 9:10 p.m. inside of 160 Menahan Street, which is approximately 8 blocks away from the incident location given by § 87(2)(b). As Officer Weinschreider acknowledged stopping and questioning § 87(2)(b) through the stop and frisk form he filed, the questioning of § 87(2)(b) is being pled against him. As Officer Weinschreider did not document frisking § 87(2)(b) this allegation is being pled against an officer, along with the discourtesy allegation.

On July 11th, 2007, the investigator called § 87(2)(b) but there was no answer and no voicemail. On the same day, the investigator mailed final please call letters to § 87(2)(b) and § 87(2)(b). On July 12th, 2007, the investigator spoke with § 87(2)(b) who did not have any recollection of the incident and stated that he did not wish to participate in the case, as he was not present for the incident. As both § 87(2)(b) and § 87(2)(b) were identified as victims in the incident by § 87(2)(b) but they deny being present, they are being listed as witnesses in the case.

The investigator left please call messages for § 87(2)(b) on July, 12th, 2007, July, 17th, 2007, July, 19th, 2007 and July, 23rd, 2007. In the final voicemail, the investigator advised § 87(2)(b) that if he did not contact the investigator, his case might be closed without being forwarded to the mediation department or investigated. A check of the New York City Department of Corrections inmate look-up website on July 24th, 2007, revealed that § 87(2)(b) is not currently incarcerated in New York City. As § 87(2)(b)

§ 87(2)(b), § 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: